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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,023	06/30/2003	Kentaro Yano	00862.023118	4222

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FITZPATRICK CELLA HARPER & SCINTO
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NEW YORK, NY 10112

EXAMINER

PARK, CHAN S

ART UNIT	PAPER NUMBER
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2625

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/608,023

Applicant(s)

YANO ET AL.

Examiner

CHAN S. PARK

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,8,9,11-14 and 17-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,8,9,11-14 and 17-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
PRIMARY EXAMINER

Douglas Q. Tran
Chan S. Park

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 2/9/06, and has been entered and made of record. Currently, **claims 1, 2, 4, 8, 9, 11-14 and 17-34** are pending.

Specification

2. The corrected or substitute specification was received on 9/8/03. The specification is acceptable.

Claim Objections

3. Claims are objected to because of the following informalities:
Claim 1, line 3, "the data" should be -- the image data --;
Claim 1, line 14, "based on image data" should be -- based on the image data --;
Claim 8, line 4, "the data" should be -- the image data --;
Claim 8, line 12, "based on image data" should be -- based on the image data --;
Claim 17, line 3, "the data" should be -- the image data --;
Claim 17, line 14, "based on image data" should be -- based on the image data --
Claim 18, line 3, "the data" should be -- the image data --;
Claim 26, line 3, "the data" should be -- the image data --; and
Claim 31, line 3, "the data" should be -- the image data --.
Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 8, 17, 18, 26 and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 1 recites the limitation "record control means for transferring data and a command between the functions assigned to the image supply device and the recording device by said assignment means". It is unclear if this data is referring to the image data and if this command is a command for recording the image data and/or data. It is unclear as to what this command commands in the overall recording operation performed by the recording system. Clarification/explanation from the Original Specification is respectfully requested.

5. With respect to claims 8, 17, 18, 26 and 31, arguments analogous to those presented for claim 1, are applicable.

6. Furthermore, claim 1 recites the limitation transmission means for "transmitting function information from at least one of the image supply device and the recording device to another device". It is unclear if this device is referring to a third device.

Further, it is unclear as to whether this another device performs any operation based on the received transmitting function information. The invention appears to be directed to controlling the functions between the image supply device and the recording device. It

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is unclear as to what kind of process is performed by the another device.

Clarification/explanation from the Original Specification is respectfully requested.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-34 are rejected under 35 U.S.C. 102(b) as being anticipated by
Takahashi U.S. Patent Application Pub. No. 2002/0006235.

7. With respect to claim 1, Takahashi discloses a recording system for directly connecting an image supply device and a recording device via a general interface (paragraph 60), transmitting image data to the recording device from the image supply device, and recording the image data (figs. 5 & 9), the recording system, comprising:

transmission means for establishing a communication procedure by using applications installed into the recording device and the image supply device (paragraphs 64 & 65), and transmitting function information from at least one of the image supply device and the recording device to another device (paragraph 90);

assignment means for assigning each of a plurality of functions of the recording system to either the image supply device or the recording device based on the function information transmitted by said transmission means (function information for transmitting the image data by the camera in paragraph 90); and

record control means for transferring data and a command between the functions assigned to the image supply device and the recording device by said assignment means, and performing a recording operation by using the recording device based on the image data supplied from the image supply device (paragraphs 90-92),

wherein the image data is selected using the assigned functions assigned by said assignment means (paragraph 85).

8. With respect to claim 2, Takahashi discloses the system according to claim 1, wherein the recording device is set as a host (printer being a host for sending the request), the image supply device is set as a slave (camera being a slave for responding to the request), and said assignment means is implemented by the recording device in the communication interface (fig. 9).

9. With respect to claim 4, Takahashi discloses the system according to claim 1, wherein the plurality of functions include at least an operation control function including a user interface, a storage control function for managing an image file stored in a recording medium, or a print control function for controlling the recording operation (step 6 in fig. 9).

10. With respect to claim 8, Takahashi teaches a controlling method a recording system for establishing direct communication between an image supply device and a recording device via a communication interface (paragraph 60), transmitting image data to the recording device from the image supply device (figs. 5 & 9), and recording the image data, the method comprising:

a step of establishing a communication procedure by using applications installed in the recording device and the image supply device (paragraphs 64 & 65);

an assignment step of assigning each of a plurality of functions to either the image supply device or the recording device after the communication procedure has been established, the functions serving as the recording system (function information for transmitting the image data by the camera in paragraph 90); and

a record controlling step of transferring data and a command between the functions assigned to the image supply device and the recording device in said assignment step and performing recording by using the recording device based on the image data supplied from the image supply device (paragraphs 90~92),

wherein the image data is selected using the assigned functions assigned in said assignment step (paragraph 85).

11. With respect to claim 9, Takahashi teaches the method according to claim 8, wherein the recording device is set as a host (printer being a host for sending the request), the image supply device is set as a slave (camera being a slave for responding to the request), and said assignment step is performed by the recording device in the communication interface (fig. 9).

12. With respect to claim 11, Takahashi teaches the method according to claim 8, wherein the plurality of functions include at least an operation controlling function including a user interface, a storage controlling function for managing an image file stored in a storage medium, or a recording controlling function for controlling the recording operation (step 6 in fig. 9).

13. With respect to claim 12, Takahashi teaches the method according to claim 8, wherein the image supply device and the recording device can be connected to each other via a plurality of communication interfaces, and the image supply device and the recording device respectively have a protocol specific to each of the communication interfaces (paragraph 64).

14. With respect to claim 13, Takahashi teaches the method according to claim 8, wherein the said assignment step, a function assigned to either the image supply device or the recording device is determined according to the connected communication interface (paragraphs 64~65).

15. With respect to claim 14, Takahashi teaches the method according to claim 8, wherein the plurality of functions include at least one of an image format support, layout printing, date printing, file name printing, image correction, size-fixed print, image clipping, and print job format support function (paragraph 66).

16. With respect to claim 17, Takahashi discloses a recording device which directly communicates with an image supply device via a communication interface (paragraph 60), receives image data from the image supply device, and records the image data (figs. 5 & 9), the recording device comprising:

acquiring means for establishing a communication procedure with the image supply device and acquiring information about a function of the image supply device (paragraphs 63~65 & fig.6);

assignment means for assigning each of a plurality of functions for a recording system including the recording device and the image supply device to either the image

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supply device or the recording device based on the function acquired by said acquiring means and the information about a function of the recording device (function information for transmitting the image data by the camera in paragraph 90); and

recording control means for transferring/receiving data and a command by using the functions assigned to the image supply device and the recording device by said assignment means and performing a recording operation based on image data supplied from the image supply device (paragraphs 90~92),

wherein the image data is selected using the assigned functions assigned by said assigning means (paragraph 85).

17. With respect to claim 19, Takahashi discloses the recording device according to claim 17, wherein the image supply device and the recording device can be connected to each other via a plurality of communication interfaces, and the image supply device and the recording device respectively have a protocol specific to each of the communication interfaces (paragraph 64).

18. With respect to claim 20, Takahashi discloses the recording device according to claim 17, wherein said assignment means assigns at least an operation control function including a user interface, a storage control function for managing an image file stored in a storage medium, or a print control function for controlling a printing operation to either the image supply device or the recording device (step 6 in fig. 9).

19. With respect to claim 21, Takahashi discloses the recording device according to claim 17, wherein the plurality of functions include at least any of an operation control function including a user interface, a storage control function for managing an image file

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stored in a storage medium, and a print control function for controlling the recording operation (step 6 in fig. 9).

20. With respect to claim 18, Takahashi discloses an image supply device which directly communicates with a recording device via a communication interface (paragraph 60), transmits image data to the recording device, and causes the recording device to record the image data (figs. 5 & 9), the device comprising:

acquiring means for establishing a communication procedure between the recording device and the image supply device and acquiring information about a function of the recording device (paragraphs 63~65 & fig.6);

assignment means for assigning each of a plurality of functions for a recording system including the recording device and the image supply device to either the recording device or the image supply device based on the information about the function acquired by said acquiring means and tire information about a function of the image supply device (function information for transmitting the image data by the camera in paragraph 90); and

recording control means for receiving/transferring data and a command by using the functions assigned to the recording device and the image supply device by said assignment means and causing the recording device to perform recording (paragraphs 90~92),

wherein the image data is selected using the assigned functions assigned by said assignment means (paragraph 85).

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21. With respect to claim 22, Takahashi discloses the image supply device according to claim 18, wherein the plurality of functions include at least one of an image format support, layout printing, date printing, file name printing, image correction, size-fixed print, image clipping, and print job format support function (paragraph 66).

22. With respect to claim 23, Takahashi discloses the image supply device according to claim 22, wherein the image supply device and the recording device can be connected to each other via a plurality of communication interfaces, and the image supply device and the recording device respectively have a protocol specific to each of the communication interfaces (paragraph 64).

23. With respect to claim 24, Takahashi discloses the image supply device according to claim 23, wherein said assignment means assigns a function to either the image supply device or the recording device according to the connected communication interface (paragraph 64).

24. With respect to claim 25, Takahashi discloses the image supply device according to claim 23, wherein the plurality of functions include at least one of an image format support, layout printing, date printing, file name printing, image correction, size-fixed print, image clipping, and print job format support function (paragraph 66).

25. With respect to claim 26, arguments analogous to those presented for claim 18, are applicable.

26. With respect to claim 27, arguments analogous to those presented for claim 19, are applicable.

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27. With respect to claim 28, arguments analogous to those presented for claim 20, are applicable.

28. With respect to claim 29, arguments analogous to those presented for claim 21, are applicable.

29. With respect to claim 30, arguments analogous to those presented for claim 22, are applicable.

30. With respect to claim 31, arguments analogous to those presented for claim 18, are applicable.

31. With respect to claim 32, arguments analogous to those presented for claim 23, are applicable.

32. With respect to claim 33, arguments analogous to those presented for claim 24, are applicable.

33. With respect to claim 34, arguments analogous to those presented for claim 22, are applicable.

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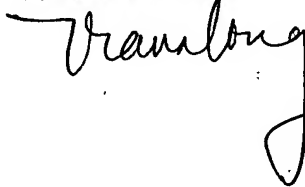
Contact Information

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DOUGLAS Q. TRAN
PRIMARY EXAMINER



Chan S. Park
Examiner
Art Unit 2625



csp
April 10, 2007